

REMARKS

In this reply claims 1, 6, 20, 21, 25, 26, 27, 29, 30, 32, and 33 have been amended.

Claims 1, 2, 4-6, 8-10, 12-22, 24-27, and 29-36 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,445,904 to Middeke in view of U.S. Patent No. 6,754,908 to Medvinsky. These rejections are hereby respectfully traversed.

Independent claim 1 has been amended to recite examining a memory of the media delivery device for a first diagnostic agent, and causing the first diagnostic agent, residing on the media delivery device, to collect diagnostic data associated with the media delivery device and diagnostic data associated with a second device not physically connected to the media delivery device. Middeke discloses a microprocessor gathering diagnostic information associated with a satellite receiver, but not that the microprocessor within the satellite receiver gathers diagnostic information associated with any other devices. Medvinsky discloses detecting modifications to information within a content receiver. Thus, Middeke in view of Medvinsky fails to disclose examining a memory of the media delivery device for a first diagnostic agent, and causing the first diagnostic agent, residing on the media delivery device, to collect diagnostic data associated with the media delivery device and diagnostic data associated with a second device not physically connected to the media delivery device. Middeke in view of Medvinsky also fails to disclose each and every element of claims 2, 4, 5, and 34-36 at least based on their dependency from claim 1. Moreover, these dependent claims recite additional novel features. Applicants respectfully request that the rejection of claims 1, 2, 4, 5, and 34-36 be withdrawn.

Independent claims 6, 20, 21, and 25 have been amended to recite an intelligent diagnostic agent residing in the media distribution device and operative to collect diagnostic data associated with the media distribution device and diagnostic data associated with a second device not physically connected to the media delivery device. As stated above with respect to claim 1, Middeke discloses a microprocessor gathering diagnostic information associated with a satellite receiver, but not that the microprocessor within the satellite receiver gathers diagnostic information associated with any other device. Medvinsky discloses detecting modifications to information within a content receiver. Thus, Middeke in view of Medvinsky fails to disclose an intelligent diagnostic agent residing in the media distribution device and operative to collect

diagnostic data associated with the media distribution device and diagnostic data associated with a second device not physically connected to the media delivery device. Middeke in view of Medvinsky also fails to disclose each and every element of claims 8-10, 12-19, 22, and 24 at least based on their dependency from claims 6, 20, 21, or 25. Moreover, these dependent claims recite additional novel features. Applicants respectfully request that the rejection of claims 6, 8-10, 12-22, and 24-25 be withdrawn.

Independent claim 26 has been amended to recite performing a second remedial action related to a performance problem with both the media distribution device and a hub located at the remote site and not physically connected to the media distribution device. As stated above with respect to claim 1, Middeke discloses a microprocessor gathering diagnostic information associated with a satellite receiver, but not that the microprocessor within the satellite receiver gathers diagnostic information associated with any other device. Medvinsky discloses detecting modifications to information within a content receiver. Thus, Middeke in view of Medvinsky fails to disclose performing a second remedial action related to a performance problem with the media distribution device and a hub located at the remote site and not physically connected to the media distribution device. Middeke in view of Medvinshky also fails to disclose each and every element of claims 27 and 29-33 at least based on their dependency from claim 26. Moreover, these dependent claims recite additional novel features. Applicants respectfully request that the rejection of claims 26, 27, and 29-33 be withdrawn.

Applicants respectfully submit that the present applicant is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is invited to telephone the undersigned with any remaining questions or comments. Applicants do not believe that additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account Number 50-3797.

Respectfully submitted,

/blake l jansen/
Blake L. Jansen; Reg. No. 59,060
LARSON NEWMAN ABEL & POLANSKY, LLP
5914 West Courtyard Dr., Suite 200
Austin, Texas 78730
(512) 439-7100 (phone)
(512) 439-7199 (fax)

01/28/2010
Date